UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
HAIDER, FAWAAD

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Ex parte MARCUS KARLSSON

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Appeal 2015-004308
Application 13/322,952
Technology Center 3600

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Before JAMES A. WORTH, TARA L. HUTCHINGS, and
AMEE A. SHAH, *Administrative Patent Judges*.

SHAH, *Administrative Patent Judge*.

DECISION ON APPEAL[1]

The Appellant[2] appeals under 35 U.S.C. § 134(a) from the Examiner's

final decision rejecting claims 1–15. We have jurisdiction under 35 U.S.C.

§ 6(b).

We REVERSE.

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[1] Throughout this opinion, we refer to the Appellant's Appeal Brief
("Appeal Br.," filed Oct. 9, 2014), Reply Brief ("Reply Br.," filed Feb. 23,
2015), and Specification ("Spec.," filed Nov. 29, 2011), and to the
Examiner's Answer ("Ans.," mailed Jan. 29, 2014) and Final Office Action
("Final Act.," mailed June 4, 2014).
[2] According to the Appellant, the real party in interest is
Telefonaktiebolaget L M Ericsson. Appeal Br. 2.

STATEMENT OF THE CASE

The Appellant's invention "relate[s] generally to credit-control systems, and more particularly, to maintaining a charging state during a final unit redirect for account replenishment in credit-control systems when end user accounts have been depleted of units." Spec. 1.

Claims 1, 7, and 13 are the independent claims on appeal. Claim 1 is illustrative of the subject matter on appeal and is reproduced below (with bracketing added for reference):

> 1. A method implemented in a Credit Control Server CCS, the method comprising the steps of:
>
> [(a)] receiving, at the CCS from a Credit Control Client CCC, a message associated with a Multiple Services Credit Control MSCC session, where the message includes a request for service units associated with a service account;
>
> [(b)] determining, at the CCS, that insufficient service units are available in the service account;
>
> [(c)] notifying the CCC that service units need to be added to the service account by sending as part of an MSCC message a Final Unit Indication F-U-I redirect message to the CCC; and
>
> [(d)] maintaining, at the CCS, MSCC session related parameters while the CCC adds service units to the service account.

Appeal Br. 15 (Claims App.).

THE REJECTION

Claims 1–15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hakala et al., *"Diameter Credit-Control Application,"* Standards Track, The Internet Society, 1–114, (August 2005) (hereafter "Hakala"), Koskinen et al. (WO 2006/136891 A1, pub. Dec. 28. 2006)

(hereafter "Koskinen"), Cadenas et al. (US 2009/0076952 A1, pub. Mar. 19, 2009, hereafter "Cadenas"), and Bellora et al. (US 2008/0126230 A1, pub. May 29, 2008) (hereafter "Bellora").

ANALYSIS

We are persuaded by the Appellant's arguments that the Examiner's rejection of independent claims 1, 7, and 13 is in error because the cited prior art does not render obvious limitation (d) of maintaining session parameters, as recited by claim 1 and similarly recited in claims 7 and 13. *See* Appeal Br. 4–11.

The Examiner appears to rely primarily on the combination of Hakala, Cadenas, and Bellora for teaching this limitation. *See* Final Act. 2–4. The Examiner finds that Hakala discloses "maintaining, at the CCS, MSCC session related parameters while the CCC adds service units to the service account" (*id.* at 3) (citing Hakala, Section 5.62.2, page 36),[3] but fails to explicitly disclose parameters (*id.*), or maintaining MSCC session related parameters (*id.* at 4). The Examiner cites to Cadenas for teaching parameters and to Bellora for maintaining MSCC session related parameters. *Id.*

We agree with the Appellant that "Hakala describes the server state machine entering the Idle state in cases of a F-U-I [Final Unit Indication] redirect[,] and subsequently, the Idle state includes clearing of the session and all the variables associated to it. . . . [In other words, the] F-U-I redirect of Hakala results in entering the idle state where the session variables are

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[3] We note that although the Examiner cites to page 36, the relied-upon portion (*see* Ans. 3–4) is actually on page 35.

cleared." Appeal Br. 7. As such, Hakala does not teach maintaining session related parameters while the CCC adds service units after an F-U-I redirect message is sent. Although the Examiner directs attention to Hakala at sections 5.6.2, 8.16, 8.34, 8.35, and 8.37, the Examiner does not adequately explain how Hakala teaches maintaining session related parameters by "drop[ping of] all the packets not matching the IP filters" and redirecting the user. Ans. 3–4; *see also* Final Act. 5.

We also agree with the Appellant that Bellora does not cure this deficiency of maintaining MSSC session related parameters after an F-U-I redirect message. *See* Appeal Br. 9–10. Even assuming *arguendo* the Examiner's finding that Bellora (and/or Cadeanas) teaches maintaining the session related parameters (Final Act. 4), the Examiner does not adequately explain, and it is not clear from the face of the reference, how Bellora teaches maintaining the parameters after a redirect message, rather than during the session. *See* Appeal Br. 10.

Therefore, we are persuaded that the Examiner erred in the rejection of independent claims 1, 7, and 13 and do not sustain the rejection of the independent claims. For the same reasons, we also do not sustain the Examiner's rejection of dependent claims 2–6, 8–12, 14, and 15.

DECISION

The Examiner's decision to reject claims 1–15 is REVERSED.

REVERSED